

**REMARKS**

Applicants appreciate the consideration of the present application afforded by the Examiner. Claims 1-21 were pending prior to the Office Action. Claims 22-25 have been added through this Reply. Therefore, claims 1-25 are pending. Claims 1, 5, and 13 are independent. Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks.

***Interview Summary***

Applicants appreciate the time afforded by the Examiner in conducting the interview on October 18, 2007. During the interview, Applicants presented arguments that the Donoho and Focsaneanu references fail to meet all of the features of the independent claims. More specifically, Applicants asserted that Donoho and Focsaneanu fail to teach or suggest the properties file producing device and that produces a properties file with the features recited in the claims. Furthermore, Applicants presented additional features in an attempt to come to an agreement with the Examiner regarding an amendment which would overcome the currently applied rejection. However, the Examiner declined to indicate which features would place the independent claims in condition for allowance, or at least which features would obviate the current rejection. No definitive agreement was reached.

***Claim Rejections - 35 U.S.C. §103(a)***

Claims 1, 3, 5, 7, 13, and 15-21 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,801,929 to Donoho et al. (“Donoho”) in view of U.S. Patent No. 5,991,292 to Focsaneanu et al. (“Focsaneanu”); claims 2, 4, 6, and 8 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Donoho in view of Focsaneanu and further in view of U.S. Patent Pub. No. 2002/0064271 to Stumer (“Stumer”); claims 9 and 11 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Donoho in view of Focsaneanu and further in view of U.S. Patent Pub. No. 2003/0074450 to Kang (“Kang”); claims 10 and 12 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Donoho in view of Focsaneanu and Kang and further in view of Stumer; and claim 14 stands rejected

under 35 U.S.C. § 103(a) as allegedly being unpatentable over Donoho in view of Focsaneanu and further in view of Applicants Admitted Prior Art (“AAPA”), page 1, lines 8-11 of the instant Specification.

As applied to the amended claims, Applicants submit the Examiner has failed to establish a *prima facie* case of obviousness and traverse the rejection.

For a 35 U.S.C. § 103 rejection to be proper, a *prima facie* case of obviousness must be established. *See M.P.E.P. 2142*. One requirement to establish *prima facie* case of obviousness is that the prior art references, when combined, must teach or suggest all claim limitations. *See M.P.E.P. 2142; M.P.E.P. 706.02(j)*. Thus, if the cited references fail to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

Independent **claim 1** recites an informing system for providing different types of information to a user through a local area network having a plurality of various types of devices, the informing system comprising, *inter alia*, a properties file producing device that produces a properties file storing preferences for performing a plurality of informing jobs corresponding respectively to the different types of received information, wherein the properties file stores, for each of the plurality of informing jobs, at least one address of at least one of the plurality of devices within the local area network which will potentially provide the information of a particular informing job to the user, and settings related to at least one of the following; whether or not an informing job has priority over other informing jobs, whether the informing job will be performed automatically or manually, a range of the informing job, and which of the plurality of devices on the local area network will perform the informing job, wherein when information is subsequently received at the communication device, a determination is made on how to provide the type of received information to the user based on the at least one address and the settings included in the properties file.

Applicants submit that Donoho and Focsaneanu, alone or in combination, do not teach or suggest at least the properties file producing device producing a properties file as claimed.

Donoho is directed to a system which provides advice to a user. An advisory file is produced at an advice site and made available to users from the advice site. An advice reader application on the user’s computer acquires the advisory file from the advice site. Then, based

on the contents of the advisory file (which describe conditions in which the advisory may apply to a user) and the properties of the user's computer set-up (which indicate the present conditions of the user), the advice reader determines whether the advisory is relevant to the user. *See Donoho, col. 7, line 60 – col. 8, line 44.*

In contrast, the present invention is directed to a properties file producing device which produces a properties file storing preferences *for performing a plurality of informing jobs*. Donoho does not disclose this feature, as the conditions (settings) of the advisory file of Donoho are relevant only to that particular advisory and are contained in the advisory file itself. The settings do not relate to a plurality of informing jobs as claimed. Furthermore, in the present invention, the properties file contains settings which are used to determine how to provide received information when the information is *subsequently received at the communication device*. In other words, the properties file of the present invention is a set of preferences for how to inform a user of a plurality of forthcoming informing jobs, wherein the properties file is produced prior to receiving the information to be presented to the user. In direct contrast, the advisory file of Donoho contains both the advisory and the conditions for the advisory, which as previously discussed, are not directed to a plurality of informing jobs. Since the advisory and conditions for one advisory are received by the advice reader as one file, the conditions are not used to determine how to provide subsequently received information. Also, the conditions of the advisory file are used by the advice reader to determine merely whether or not to advise the user, based on the relevancy of the advice to the user's system. Conversely, the properties file of the present invention is used to determine at least how the user is to be informed of the received information.

The Examiner concedes this, stating that Donoho does not disclose "which of the plurality of devices on the local area network will perform the informing job," and relies upon the Focsaneanu reference to allegedly cure this deficiency of Donoho. *See Office Action, item 6.* Focsaneanu teaches storing a message at a location (access module) for later delivery to a user, and sending a notification of the waiting message to the user at a different device, based on the user's profile. *See Focsaneanu col. 15, lines 33-51.* However, Focsaneanu does not disclose the contents of the user's profile, how the user's profile is used to notify the user of the waiting

user's profile is used to determine how to inform the user of a plurality of informing jobs. As previously discussed, Donoho also fails to teach storing preferences for performing a plurality of informing jobs. Therefore, the combination of Donoho and Focsaneanu cannot teach or suggest at least this feature of the present invention.

In addition, it is unclear how modifying Donoho according to the alleged teaching of Focsaneanu would result in the features of the present invention. The advisory file of Donoho is created and posted at the advice site for downloading by any number of users with advice readers. The user profile of Focsaneanu is local to the user's system. At most, Focsaneanu teaches notifying a user based upon a local setting, while the settings in the advisory file of Donoho are universal to all users potentially retrieving the advisory file. It is unclear how one would seek to modify the advisory file of Donoho to include preferences for a particular user especially since the advisory file is intended to be available to any number of users. Indeed, Applicants submit that the prior art does not suggest how one of ordinary skill in the art would perform such a modification, nor has the Examiner provided any rationale for doing so.

At least based on the foregoing arguments, the combination of Donoho and Focsaneanu fails to teach or suggest each and every limitation of claim 1. Nevertheless, in the interest of expedited prosecution, Applicants have amended independent claim 1 to recite that the properties file producing device produced a properties file storing preferences for performing a plurality of informing jobs *corresponding respectively to different types of received information*. In addition, claim 1 has been amended to recite that the properties file stores, *for each of the plurality of informing jobs, at least one address of at least one of the plurality of devices within the local area network which will potentially provide the information of a particular informing job to the user*. Applicants submit that the prior art, alone or in combination, does not teach or suggest at least these features of independent claim 1. Applicants note that this amendment should not be construed as necessary to overcome the currently applied rejection in view of Donoho and Focsaneanu, which has been substantively argued against, *supra*, but as being made entirely to expedite prosecution of this application to allowance.

A review of the cited references shows that they cannot, alone or in combination, teach at least these added features of independent claim 1. Clearly, Donoho and Focsaneanu make no

mention of including an address of a device in a properties file storing preferences for performing a plurality informing jobs corresponding respectfully to different types of received information. For at least this reason, Applicants respectfully submit that independent claim 1 is patentable over the prior art. The foregoing arguments are herein applied to independent claims 5 and 13, which recite at least features comparable to claim 1 which have been shown to not be anticipated or rendered obvious by Donoho or Focsaneanu, alone or in combination. Furthermore, Stumer and Kang have not been, and indeed cannot be, relied upon to correct at least the aforementioned deficiencies of Donoho and Focsaneanu. Dependent claims 2-4, 6-12, and 14-21 are also distinguishable from the prior art at least due to their dependence from claims 1, 5, and 13, directly or indirectly.

Therefore, Applicants submit that claims 1-21 are patentable over the prior art and respectfully request that the rejection of claims 1-21 under §103(a) be withdrawn.

### *New Claims*

New claims 22-25 have been added through this Amendment, and are considered to be in condition for allowance at least due to their dependence upon allowable claim 1, directly or indirectly. No new matter has been entered.

### Conclusion

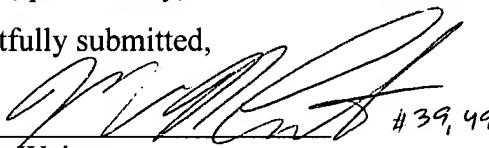
All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Notice of same is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John R. Sanders, Reg. No. 60,166 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Date: October 31, 2007

Respectfully submitted,

By  #39,491  
Marc S. Weiner  
Registration No.: 32,181  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant